



STATE OF MICHIGAN

DEPARTMENT OF NATURAL RESOURCES

JENNIFER M. GRANHOLM  
GOVERNOR

LANSING



REBECCA A. HUMPHRIES  
DIRECTOR

SUBMITTED: August 17, 2009  
RESUBMITTED: September 14, 2009

MEMORANDUM TO THE DIRECTOR

Information: Natural Resources Commission

Subject: Waters Closed for the Taking of Minnows for Personal Use (FO-203)

Authority:

The Natural Resources and Environmental Protection Act, 1994 PA 451, as amended, authorizes the Director to provide for better protection and preservation of fish, game and birds.

Discussion and Background:

This order has been in place for several years to protect minnow populations from exploitation as well as trying to restrict the movement of Eurasian Ruffe (*Gymnocephalus cernuus*) in several Lake Superior waters. The restrictions on harvest of minnows in the western Lake Superior waters were instituted in the mid 1990's to prevent the unintentional expansion of Eurasian Ruffe from the Lake Superior Basin. Eurasian Ruffe has now expanded their range throughout the entire south shore of Lake Superior and has also established populations in northern Lake Huron, northern Lake Michigan, and the waters of Green Bay. Since Eurasian Ruffe now occupy the coastal waters surrounding the Upper Peninsula of Michigan, the former restriction on personal take of minnows from the western Lake Superior waters is no longer necessary. Therefore, Fisheries Division is proposing the removal of the following waters from this order: those waters of Lake Superior west of Big Bay Point, Marquette County; tributaries to Lake Superior for ½ mile above their mouths; Portage Lake, Torch Lake, the North and South Portage Canal and their tributaries (Houghton County) for ½ mile above their mouths.

One other proposed change involves the removal of Big Glen Lake, Leelanau County, from the list where personal harvest of minnows is restricted. Hatlem Creek, currently listed in this order, flows into Big Glen Lake. Hatlem Creek receives a considerable emerald shiner migratory run in the fall and should remain within this order to protect the emerald shiners. However, including Big Glen Lake in this order precludes riparians and the general public from collecting emerald shiners and other minnow species in areas where they do not congregate, and they most likely do not have the ability to significantly affect population abundance. The result of this change will be monitored by the local Management Unit fisheries biologist and conservation officers.

NATURAL RESOURCES COMMISSION

Keith J. Charters, Chair • Mary Brown • Hurley J. Coleman, Jr. • John Madigan • Timothy L. Nichols • J. R. Richardson • Frank Wheatlake

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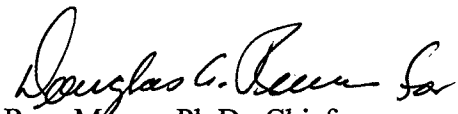
While Fisheries Orders issued under Part 487 of 1994 PA 451, currently have no expiration date, it is recommended that a five year expiration date be placed on the order. This will ensure that the order be reviewed at least once every five years which is consistent with orders issued under Part 411 of 1994 PA 451.

Recommendation:

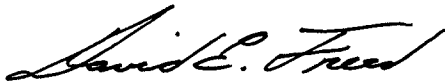
This order was submitted for information and consideration at the August 13, 2009 Natural Resources Commission meeting. This item appeared on the Department's August 2009 calendar and may be eligible for approval on October 8, 2009.



Kelley D. Smith, Chief  
Fisheries Division



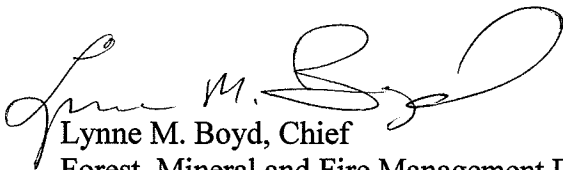
Russ Mason, Ph.D., Chief  
Wildlife Division



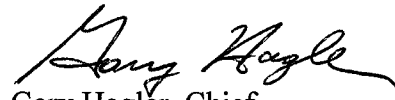
David E. Freed, Chief  
Land and Facilities



Ronald A. Olson, Chief  
Parks and Recreation Division



Lynne M. Boyd, Chief  
Forest, Mineral and Fire Management Division



Gary Hagler, Chief  
Law Enforcement Division



Arminda S. Koch  
Resource Management Deputy

I approve the staff recommendation.

Rebecca A. Humphries  
Director

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Date Approved

# ORDER

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## **WATERS CLOSED TO THE TAKE OF MINNOWS FOR PERSONAL USE**

By authority conferred on the Department of Natural Resources by section 48730 of 1994 PA 451, as amended, being MCL 324.48730, the Director of the Department of Natural Resources on October 8, 2009, ordered that for a period of five years, no person shall take or attempt to take minnows for personal use from the following waters:

Hatlem Creek, a tributary to Glen Lake, Leelanau County.

This order shall be assigned number FO-203.10, and is entitled "Waters Closed to the Take of Minnows for Personal Use."

This order supersedes the order entitled "Waters Closed to the Take of Minnows for Personal Use," effective April 1, 2003, and assigned number FO-203.03.

This order shall take effect April 1, 2010, and shall remain effective through March 31, 2015.

Issued on the \_\_\_\_\_ day of \_\_\_\_\_, 2009.

Rebecca A. Humphries  
Director

The Natural Resources Commission has reviewed this order.

Keith J. Charters  
Chairperson

Teresa Gloden  
Executive Secretary